

REMARKS

Claim 2-7, 9, 11-13, 25-29, 33-46, 64-65, 73, 77, and 79-92 are pending in the Application. Claims 1, 8, 10, 14-24, 30-32, 47-63, 66-72, 74-76, and 78 have been canceled.

1. Claims 2-5, 7, 9, 25-29, 33-44, 64-65, 73, 77, 91, and 92, were rejected under U.S.C. §103(a) as being unpatentable over US. Patent No. 6,385,592 to Angles et al. and U.S. Patent No. 6,018,713 to Coli et al. in view of U.S. Patent No. 5,845,255 to Mayaud.

The claimed invention is drawn to a computer system for displaying targeted healthcare advertisements to a computer user and methods for displaying managing healthcare information and displaying targeted healthcare advertisements. In claim 2, the computer system includes an advertising selecting computer, a device for enabling entry of healthcare related information into the system, a database for storing the healthcare related information and advertising information connected to the advertising selecting computer and a communications network for transmitting the healthcare related information from the device to the advertising selecting computer for storage in the database. The advertising selecting computer compares the healthcare related information to the advertising information and selects advertising information for display at the device. The advertising selecting computer transmits via the communications network a pharmaceutical advertisement associated with the advertising information to the device for display and, in response to the computer user selecting the displayed pharmaceutical advertisement, a prescription form is automatically populated.

Regarding claim 25, a method includes using patient medical information and healthcare provider information collected from at least one of a plurality of sources, selecting a healthcare product advertisement for display to a computer user based on the patient medical information and healthcare provider information, transmitting the product advertisement to a computer user for display, and, in response to selection of the product advertisement, automatically populating a healthcare product order form. Claim 73 is directed to a software program embodied on computer-readable medium incorporating the above method.

Regarding claim 64, a method includes, in response to selection of the healthcare advertisement, automatically populating a healthcare product order form. Claim 77 is directed to a software program embodied on computer-readable medium incorporating the method of claim 64.

Claim 90 is directed to a computer system including storage including program instructions operable by a processor to populate a prescription form based on selection of a pharmaceutical advertisement via an interface device. Regarding claim 91, a computer system includes, in response to a computer user selecting the displayed pharmaceutical advertisement, a prescription is initiated based on the healthcare related information. Regarding claim 92, a method includes, in response to selection of the product advertisement, automatically initiating a healthcare product order based on the patient medical information.

The PTO appears to rely on Angles et al. for the computer architecture of claim 2, but acknowledges that Angles et al. fails to teach entry of healthcare related information, fails to teach the advertising computer transmitting a pharmaceutical advertisement to the device for display via the communication network, and fails to teach, in response to the computer user selecting the displayed pharmaceutical advertisement, a prescription form is automatically populated. The PTO appears to rely on Coli et al. to teach entry of healthcare related information and the advertising computer transmitting a pharmaceutical advertisement to the device for display via the communication network. However, the PTO acknowledges that Angles et al. and Coli et al. fail to teach or suggest, in response to the computer user selecting the displayed pharmaceutical advertisement, a prescription form is automatically populated.

Accordingly, the PTO turns to Mayaud and, in the Office Action, the PTO appears to equate a list of formulary drugs with a pharmaceutical advertisement. However, Mayaud provides an explicit definition of formulary. As used in Mayaud, the term "drug formulary" refers to a list of preferred drugs contained in a drug benefits plan issued by a drugs benefit provider to a given patient (Mayaud col. 1, ll. 59-61). In contrast, an advertisement is defined by the Cambridge Dictionary of American English as a paid notice that tells people about a product or service. A formulary is clearly not an advertisement.

As acknowledged, Angles et al. and Coli et al. fail to teach or remotely suggest in response to the computer user selecting the displayed pharmaceutical advertisement, a prescription form is automatically populated. Mayaud fails to overcome this deficiency.

For at least the foregoing reasons, Applicants respectfully submit that the claimed invention would not have been obvious over Angles et al. and Coli et al. in view of Mayaud. According, reconsideration of this rejection is respectfully requested.

2. Claims 6, 11-13 and 45-46 were rejected under U.S.C. §103(a) as being unpatentable over US. Patent No. 6,385,592 to Angles et al. and U.S. Patent No. 6,018,713 to Coli et al. and U.S. Patent No. 5,845,255 to Mayaud in view of Official Notice.

As described above, Angles et al., Coli et al. and Mayaud fail to teach or remotely suggest alone or in combination the claimed invention. Official Notice fails to overcome the deficiencies described above.

For at least the reasons provided above, Applicants respectfully submit that the claimed invention would not have been obvious over Angles et al. and Coli et al. and Mayaud in view of Official Notice. According, reconsideration of this rejection is respectfully requested.

3. Claims 79-85 and 86-89 were rejected under 35 U.S.C §102(a) as being anticipated by U.S. Patent No. 5,845,255 to Mayaud.

Regarding claim 79, a method includes providing a pharmaceutical advertisement to an interface device and populating a prescription form based on selection of the pharmaceutical advertisement via the interface device.

Here again, the PTO appears to rely on a list of formulary drugs to teach a pharmaceutical advertisement. In accordance with the above definitions, a formulary is not an advertisement. As such, Mayaud fails to teach or suggest each and every element of the claimed invention.

For at least the reasons provided above, Applicants respectfully submit that the claimed invention is not anticipated by Mayaud. According, reconsideration of this rejection is respectfully requested.

4. Claims 86 and 90 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,845,255 to Mayaud and U.S. Patent No. 6,385,592 to Angles et al.

As above, the PTO appears to rely on a list of formulary drugs to teach a pharmaceutical advertisement. In accordance with the above definitions, a formulary is not an advertisement. As such, Mayaud fails to teach or remotely suggest each and every element of the claimed invention. Angles et al. fail to overcome the deficiencies of Mayaud.

For at least the reasons provided above, Applicants respectfully submit that the claimed invention would not have been obvious over Mayaud and Angles et al. According, reconsideration of this rejection is respectfully requested.

5. Claim 9 was objected for reciting "from". Claim 9 has been amended to recite "form" and correct the clerical error.

Applicant(s) respectfully submit that the present application is now in condition for allowance. Accordingly, the Examiner is requested to issue a Notice of Allowance for all pending claims.

Should the Examiner deem that any further action by the Applicant would be desirable for placing this application in even better condition for issue, a call to the Applicant's representative listed below is requested.

Applicants do not believe that any additional fees are due, but if the Commissioner believes additional fees are due, the Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,



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